

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 370

By: Wilcoxson

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2001, Section 14-105, which relates to loads on vehicles; providing penalty for certain reckless violation; stating penalty; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2001, Section 14-105, is amended to read as follows:

Section 14-105. (a) No vehicle shall be driven or moved on any highway unless such vehicle is so constructed or loaded as to prevent any of its load from dropping, sifting, leaking, blowing or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining such roadway.

(b) No person shall operate on any highway any vehicle with any load unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached or in any manner a hazard to other users of the highway. Any vehicle loaded with sand, cinders, or other loose material susceptible to blowing or otherwise escaping shall have such load covered so as to prevent the blowing or escaping of said load from the vehicle.

(c) This section shall not apply to trucks loaded with livestock, poultry or agricultural products only except baled agricultural products, provided that any such truck shall be so

constructed or loaded as to prevent such livestock or poultry from escaping therefrom.

(d) When the death of any person ensues within one (1) year as a proximate result of injury received by the violation of the provisions of this section and the violation is determined to be a reckless disregard of the safety of others, the person operating such vehicle shall be guilty of negligent homicide.

(e) In addition to other penalties permitted by law, any person convicted of negligent homicide for violating the provisions of this section shall be punished by imprisonment in the county jail for not more than one (1) year or by fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.